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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	) Examiner: Not yet assigned
Gorski, et al.	)
	)
Serial No.: 09/940,673	) Group Art Unit: 1652
	)
Filed: August 27, 2001	)
	)
For: **GROWTH ARREST HOMEOBOX**	) Attorney Docket No.: 22311/04015
GENE	)

Assistant Commissioner for Patents
Box Missing Parts
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS

Dear Sir:

In response to the Notice to File Missing Parts dated November 19, 2001, applicants respectfully submit the enclosed ten (10) pages of Formal Drawings and a check in the amount of $1,458.00 as payment of the basic filing fee, appropriate surcharge and additional claims fees. A copy of the Notice to File Missing Parts received from the Patent Office is also enclosed.

If additional fees are required please charge them to our Deposit Account No. 03-0172. Please credit any overpayment to same Deposit Account. A duplicate of this paper is attached.

Respectfully submitted,

Date: _December 10, 2001_   _Pamela A. Docherty_

Pamela A. Docherty, Reg. No. 40,591
(216) 622-8416

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/940,673	08/27/2001	David H. Gorski	22311-04015

24024
CALFEE HALTER & GRISWOLD, LLP
800 SUPERIOR AVENUE
SUITE 1400
CLEVELAND, OH 44114

CONFIRMATION NO. 5565

FORMALITIES LETTER

OC000000007086076

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Date Mailed: 11/19/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
  Applicant must submit $ 710 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is $240.
  - $240 for 3 independent claims over 3 .
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of $130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is $ 1080.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:

  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

05/21/2002 YGIZAW 00000004 09940673
740.00 OP
252.00 OP
130.00 OP

01 FC:101
02 FC:102
03 FC:105

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE